

## **PART III. MOSQUITO CONTROL PROJECTS AND AGRICULTURAL PROJECTS**

### **3.01 Mosquito Control Projects**

Pursuant to Section 2 of the By-law, the Conservation Commission categorically gives permission for mosquito control projects performed pursuant to the provisions of Clause 36 of [M.G.L. Ch. 50, S. 5](#), of [M.G.L. Ch. 252](#), or of any special act, provided that adequate notice, oral or written, has been given to the Conservation Commission at least one week prior to the commencement of any work other than normal maintenance and control including the application of pesticides.

### **3.02 Agriculture/Aquaculture**

A. Pursuant to Section 2 of the by-law, the Commission gives permission for work on land which is being used as of the effective date of these Rules and Regulations as bogs in actual agricultural use or related land necessary for raising such products, provided such activity is called out in accordance with the following general conditions and any additional conditions deemed necessary by the Commission.

- 1) All fertilizers, pesticides, herbicides and other such materials shall be used in accordance with all applicable State and Federal laws and regulations governing their use as well as any such municipal regulations, and
- 2) All activities shall be undertaken in such a manner as to prevent erosion and siltation of adjacent water bodies and wetlands as specified in the U.S.D.A. Soil Conservation Service, "Guidelines for soil and water conservation", and
- 3) There shall be no contamination or pollution of any adjacent or contiguous water body, creek, stream, pond, lake or ocean. Any violation of these general conditions shall be cause to revoke permission for operation of the bog under the By-law and require a filing for a Notice of Intent, any other provision of the law notwithstanding.

B. The permission granted in Section 3.01 (1) shall apply to existing bogs in actual production at the effective date of these Rules and Regulations (February 10, 1998)

C. Abandoned bogs under proposed renovations, or the expansion of existing bogs, bog ponds or reservoirs or bogs to be newly constructed, shall be subject to all other provisions of these Rules and Regulations.

### **3.03 Other Categorical Permission**

There shall be no other categorical permission granted by the Conservation Commission except by amendment to this part of these regulations, and in accordance with the provisions of the By-law.